

SCHIEPPS NOW EXPECTED TO SURRENDER AND CONFESS

but such is my information, and I believe that it is the duty of any member of the Bar of the State of New York to answer a question as to whether or not he had a conversation with a man who was being searched for on a charge of murder before he was apprehended, and especially if he was not the attorney of that fugitive.

"If this allegation is true, Mr. Hart deserves to be disbarred, and I will make it my business to see that he is disbarred, after this case is gone through."

Mr. Hart then addressed the Court, saying: "There is only one question before the Court. I will answer any questions the Court says I must answer. I was retained by Becker as counsel on the Saturday before the Rosenthal murder. Nothing I have done I am ashamed of. This attack by the District-Attorney is false in substance, if not in effect. I am willing to answer any questions that the Court may direct."

"The Court instructs you to answer that question," said Judge Mulqueen.

Mr. Hart interposed that it was a violation of his rights as an attorney to divulge anything in a case in which he was engaged. The Court then said:

"The District-Attorney may compel you to answer any question that the Judge may direct. You may refuse to answer any question which you think may violate your rights as counsel, but no attorney or any other person may interfere with the investigation that the District-Attorney is carrying on."

"GOING PRETTY DEEPLY," SAYS LAWYER HART.

"I have not done anything wrong," declared Mr. Hart, "in fact I am right. It is an outrage for Judge Whitman to come here and denounce me as he has done."

"There is no good reason why you should not answer that question," said Judge Mulqueen.

Mr. Hart turned and started for the door, but halted and turned to the Court again:

"Do I understand that your Honor," he asked, "directs me not only to answer that question but what happened at that time? It seems as if they were going pretty deeply into this."

"We're going lots deeper before we're through," retorted Mr. Whitman. "Something has been said of the manner in which the District-Attorney secured his information. It is the District-Attorney's right and privilege to get information from any source from which he can do so."

Following the orders given by Judge Mulqueen the Grand Jury returned to its room and District-Attorney Whitman, Assistant District-Attorney Mow and Mr. Hart entered the room. There it was learned that Mr. Hart answered the question which had been put to him. District-Attorney Whitman then asked other questions. Hart immediately balked.

"All right," said the District-Attorney. "Back before Judge Mulqueen." Judge Mulqueen was sent for and returned to the bench. After a wait of ten minutes word was brought to Judge Mulqueen that the further questions being asked were being answered, but very reluctantly.

Judge Mulqueen then called to the bench Harford T. Marshall, attorney for Jack Sullivan, and had a whispered conversation with him for five minutes. The Judge then announced that he would go to his chambers, but would be within a minute's call of the courtroom if his presence were necessary.

HART SAYS HE WAS BROWBEATEN

After his experience in the Grand Jury room Mr. Hart made the following statement:

"I was subpoenaed to go before the Grand Jury in the case of the People vs. Becker et al. While I marvelled at the unusual proceeding of summoning an attorney to testify against his own client, I made up my mind to appear and I offered to answer any questions that might be propounded, provided such question be proper, as the law prohibits the disclosure of any confidential communication between attorney and client."

"On reaching Mr. Whitman's office I was told by him that he understood I had taken a statement from Jack Rose on July 16 (the day of the murder). He asked me if that was true. I said I thought anything I did in the preparation of my client's case was confidential, and before I had a chance to explain further Mr. Whitman, with an angry exclamation, took me before the Grand Jury."

"I was not allowed to make any explanation to the Grand Jury. I was restricted to a 'yes' or 'no' answer to a single question. It was impossible for me even to state that I was the attorney for Charles Becker."

"In open court, before Judge Mulqueen, I was denounced by the District-Attorney as unwilling to state facts. The denunciation was unjust and hysterical. The District-Attorney had apparently not had my position made clear to him."

"I have no apologies or explanations to make. I took what I considered honorable steps necessary to the defense of my client. At the time the statement of Rose was taken by me I had no idea he was accused of or connected with the murder of Rosenthal. The fact developed subsequently and I immediately sent word to the Police Commissioner of Rose's whereabouts but in the meantime he had surrendered himself."

Rose's affidavit concerned the loan of \$1,500 Rosenthal claimed he received from my client and the alleged twenty per cent. commission on gambling house profits Rosenthal claimed my client demanded. The affidavit is the best proof of this statement. I have the affidavit with me but did not produce it before the Grand Jury. The question of its production is to be put up to Judge Mulqueen and I am to report again to the Grand Jury on Tuesday of next week."

Rose in his statement went on to tell how he came to surrender. This is his story, in substance:

"The newspapers were so full of this thing that I got uneasy. I read The World and The Evening World, and saw it was a big thing. Becker called me up and I told him the papers were hammering hard on the Rosenthal case."

"Becker said I had better come down to Police Headquarters and give myself up. He was quite matter of fact about it. I went down to Headquarters and surrendered myself, thinking Becker would take care of me, but there was nothing doing."

In connection with Mr. Hart's admission that he got an affidavit from Rose about the \$1,500 loan, a statement in Rose's confession to the District-Attorney is interesting. In substance Rose said:

"I was in Harry Pollok's house, under cover, the day after the murder, when Becker called me up on the telephone. He told me he was going to send somebody up to take an affidavit about that \$1,500 loan and mortgage. He said I would be taken care of if I signed the affidavit but wouldn't be taken care of if I refused. I signed the affidavit, supposing that Becker had enough 'pull' to take care of me."

The calling of Hart before the Grand Jury was a sensational step in the process by which the District-Attorney hopes to fasten the responsibility for the murder of Rosenthal on Lieut. Becker. Through Hart the District-Attorney expects to establish the connecting link between Becker and Rose in the plot leading to the murder.

Mr. Whitman is in possession of information to the effect that Hart, acting as counsel for Becker, called on Rose in the latter's hiding place, six hours before Rose gave himself up and urged upon Rose the necessity of making a certain affidavit to the advantage of Becker. At the time of Hart's visit Rose was keeping under cover at the home of his friend, Harry Pollok, in West One Hundred and Tenth street.

BECKER RETAINED COUNSEL EARLY IN CASE.

The incident struck the District-Attorney as of great importance the moment it was brought to his attention. In the first place, it showed that Becker had retained Hart as counsel in the Rosenthal matter before Rose was arrested—in fact, probably as soon as Shapiro, the chauffeur of the murder car, informed the police that Jack Rose had hired the car the night before the assassination of Rosenthal.

Becker, being at Headquarters eight hours a day, was in position to inform himself as to every police move in the Rosenthal matter. Rose, in

his confession to the District-Attorney, said Becker called him up several times on the telephone and assured him that everything would come out all right. But there has been found no way to confirm the transmission of these alleged telephone messages.

Subsequently, when the District-Attorney heard that Hart had called on Rose in Rose's hiding place, he asked, How did Hart know where to find Rose? Through no other channel, obviously, than information supplied by his client Becker. And Becker was at that time a police officer in full knowledge of the fact that Deputy Commissioner Dougherty had ordered that Rose be brought to Headquarters and that a numerous company of detectives was out searching for Rose through the city and the nearby beach resorts.

WANTS TO KNOW HOW HART FOUND ROSE.

In view of the fact that a considerable blanket of privilege shelters the relations and transactions between a lawyer and his client the District-Attorney thought it best to have Mr. Hart tell the Grand Jury without any preliminaries how he came to call on Jack Rose, a fugitive from justice, in Rose's retreat. Particularly the District-Attorney was anxious, and is anxious, for Mr. Hart to tell who gave him Rose's address and how he got to Rose after the address was furnished.

If it should be shown that Becker sent Hart to Rose the District-Attorney would have absolute confirmation of Rose's statement that Becker knew his (Rose's) whereabouts.

In itself such a confirmation would go a long way toward establishing the entire truth of Rose's story concerning his relations with Becker in the two weeks prior to the killing of Rosenthal.

It is a matter of common report in legal circles that William Travers Jerome is actually the counsel for Becker and that Hart is acting for him. Hart was an assistant in Mr. Jerome's office when the latter was District-Attorney.

In his statement of yesterday Rose declared that all plans had been laid to assassinate Rosenthal eleven days before the murder actually took place. Guided by Rose and Webber, four professional gunmen, two of whom were "Lefty Louie" and "Gyp the Blood," went to the Garden restaurant at Fifth street and Seventh avenue, where Rosenthal was dining, with the intention of killing him.

Somebody in the gang discovered that there were private detectives in the room and the plot was abandoned for the time. These detectives, it has since been learned, were in the employ of the Committee of One Hundred, which had just started an investigation of reports that gamblers were paying tribute to the police.

Rose said Becker was the man who urged that Rosenthal be killed on July 5. Becker's disappointment and anger, according to Rose, were boundless when it was reported to him that the assassins had been scared off.

KILLING WHAT HE WANTED, SAYS ROSE.

According to Rose, Becker had been fuming and complaining for weeks because Rosenthal had not been put out of the way.

"He was always at me," said Rose. "He gave me no peace. He said Rosenthal was a natural squaler and that we would all soon be in trouble if we didn't get him out of the way. It was about July 1 he got so bad. He had mostly been hinting before then. I didn't believe he had the nerve to arrange a murder and said: 'Do you really mean you want this man killed?' This was the day Rosenthal paid his visit to District-Attorney Whitman."

"He looked so severely in the eye and said he did," continued Rose. "I saw he was in earnest, and we talked over the plot. Becker said he didn't care how or when it was done, just so it was done soon."

"I had been dropping hints among the gunmen of what Becker wanted done, and I knew there wouldn't be any trouble getting men for the job."

Rose said about July 5 he met Becker and told him he had the four men who would kill Rosenthal. Becker asked when it could be done and they said they thought the next night. He said Becker said he would go to Forty-second street and Sixth avenue at 9 P. M. and wait for Rose or Webber to report to him.

Rose said the next day he took Lefty Louie and Gyp the Blood and the other two, whose names he says he did not know, and stood at Forty-third street and Broadway until Rosenthal passed. All day, he said, they watched Rosenthal, but the gunmen refused to do their work in daylight.

At a quarter to eight that night, singly and by twos, four approaching east doors arrived at "Bridgie's" base of operations—his Forty-second street poker room.

In the mean time scouts had been sent out to locate Rosenthal. This was never a difficult task.

Within fifteen minutes Harry Valton came back and reported that Rosenthal and his wife had just sat down to dinner at the Garden Restaurant, a resort at Fifth street and Broadway much frequented by a sporty class of men and women. Just after they sat down they were joined by the inevitable Jack Sullivan.

Rose and Webber gave their crew "naïf" signals. They were to go to the place singly, and arrangements were to be made to get them away in taxicabs that were to be waiting nearby.

WARNING COMES AS DEED IS TO BE DONE.

The crowd of gamblers, which included two of the four said to have committed the real murder—Gyp the Blood (Harry Horowitz) and Dago Frank—sauntered up the street to the place selected for Rosenthal's death. A decoy message, just as this approach to the grand climax was reached, the "mob" warning was sounded—the sign that danger was at hand in the form of detectives.

The next day Rose met Becker near "Bridgie's" poker room. He says he had communicated the failure to the lieutenant and had been told curtly to be at the meeting place at a certain time. With him were Webber and Valton.

"YOU'RE A BUNCH OF COWARDS," BECKER IS QUOTED.

Rose says Becker met them with a curse.

"You're a bunch of damned cowards," Rose swears Becker said. "The yellow sticks out all over you. Why, there isn't enough spunk in the three of you to kill a rat."

"Now, I'm tired of this sort of thing. Either you go out and get this squaler or I'll do it myself, and I'll do it right. But if I have to turn the trick, then look out for yourselves—that's all. You remember what I told you—I'll job every one of you."

Then came 2 o'clock on the afternoon of Monday, July 15. Rose was at the Lafayette Baths. With him was Schepps. He was called to the telephone by an imperative message. He says it was Becker, who said:

"Whitman got back to town this morning. Rosenthal has been with him two hours. He has told everything he knows. This is your fault. You've got one more chance. Now get busy—that's all—get busy."

And Rose got busy. With Schepps he got in touch with Webber. Webber was out of the city at the moment, so his man, Valton, took his place on the recruiting duty that Rose had assumed.

The head-hunted collector of graft got in touch with the men that had been previously discussed and passed the word that the job was on for that night. Webber already had caused it to be known that everything Rose did was done with Becker's sanction and would be paid for by him.

Gyp the Blood was communicated with. He promised to have another on-hand—Lefty Louie.

Then Rose, acting under the advice of Jack Zelig, arranged to get the services

Gambler Said to Have Given Price of Murder at Order of Becker.



"BRIDGIE" WEBBER.

"DAGO FRANK" CONFESSES HE WAS ONE OF ASSASSINS

(Continued from First Page.)

corroboration. This corroboration the District-Attorney has in his possession.

While "Dago Frank" and Shapiro were waiting in a room in the District-Attorney's office to be called before the Grand Jury detectives entered with three men, two of whom were John Hickey and Louis Kresc, eye-witnesses of the murder. The third man has not previously appeared in the case.

Each of the three picked out "Dago Frank" as one of the four men who shot Rosenthal, and Shapiro as the driver of the car in which the men fled from the Metropole.

Undoubtedly additional arrests will grow out of the story of "Dago Frank" to the Grand Jury. He knew the whole crowd of gamblers and assassins for hire that assembled in "Bridgie" Webber's poker room during the two hours before the murder. Many of these men were unknown to Webber and Rose.

FEAR POLICE MAY HEAD OFF SCHIEPPS.

William Shapiro, the driver of the murder car, will also be a witness before the Grand Jury. This will be his first appearance before the body. His story has been told time and time again to the District-Attorney, but not until yesterday did Mr. Whitman conclude that Shapiro was willing to tell all he knew. The chauffeur will give the Grand Jury a complete story of his movements before, during and after the murder, with many additional details tending to confirm the confession of Jack Rose.

The confession of "Dago Frank" and the complete story of Shapiro marked a big advance in the case, especially in connection with the approaching surrender of Sam Schepps, one of the fugitives from justice. Schepps's lawyer promised to deliver him to-day, but did not set any time and his arrival was anxiously awaited.

It was rumored that the District-Attorney was afraid Schepps would be picked up by the police before he reached the Criminal Courts Building. When this was reported to Deputy Commissioner Dougherty, he said he had given orders that there was to be no police interference with the delivery of Schepps to the District-Attorney.

Schepps, according to a statement made yesterday to the District-Attorney by "Jack" Rose and "Bridgie" Webber, is the man who paid the four assassins the blood money for the Rosenthal killing. The amount named is \$1,000 and Webber says he contributed the whole of it. The money was turned over to Schepps in Lieut. Becker's presence, according to Webber and Rose, in front of the Murray Hill Baths, in Forty-second street, two hours after Rosenthal was killed, and was paid by Schepps to the assassins on the sidewalk in Seventh avenue between Forty-second and Forty-third streets on the afternoon of July 16, just twelve hours after the murder.

This morning, breakfasted early and read all the papers. His wife spent an hour talking to him and he saw his counsel and some members of his family.

Lieut. Becker's household effects were moved from the apartment which he occupied at No. 461 Edgecombe avenue, Bronx, Mrs. Becker supervised the moving. Two van loads of ordinary furniture were taken.

William Hobson, who did the moving, said he has moved the Beckers several times during the last fifteen years, and that he always had to wait until the first of the month for his money. Mr. Hobson also said that when he was in the furniture business, Becker bought goods from him on the installment plan, paying him a small sum monthly.

Becker sent word to reporters that he had no statement to make about further assertions of Rose and Webber that he urged Rosenthal's assassination nearly two weeks before it was accomplished.

Harry Valton was brought down from the West Side Police Court prison this afternoon and arraigned before Coroner Feinberg, sitting as a Magistrate, together with Jacob Reich, alias "Jack Sullivan," William Shapiro, and Louis

FOSDICK MEETS WHITMAN TO TALK ABOUT THE POLICE

Resigning Official Says He Had No "Active Friction" With the Mayor.

Commissioner of Accounts Raymond Fosdick, who tendered his resignation to Mayor Gaynor, will have an important conference late this afternoon with District-Attorney Whitman, with the result, it is understood, that the Commissioner and District-Attorney will work hand in hand in uncovering police graft in New York.

Commissioner Fosdick leaves New York on Sept. 1, the day his resignation becomes effective, to assume an important executive position with an automobile concern in Detroit. Asked to-day concerning oft-repeated rumors that he resigned because of constant friction with Mayor Gaynor, Mr. Fosdick considered for some time and said:

"I have had no active friction with Mayor Gaynor. He has always treated me courteously. That is all I care to say, except to add that I have not been forced to resign by Mayor Gaynor."

"Does the fact that you have had no 'active friction' with Mayor Gaynor imply that there has been passive friction in the form of lack of co-operation?" Mr. Fosdick was asked. He was silent for a moment, then said:

"I do not care to add anything to the statement that there was no active friction."

Mr. Fosdick to-day continued his investigation into the charges that there was a big "slush fund" raised among the police station doormen to be used in furthering a bill at Albany to increase their salaries. He said some interesting developments were to be expected when his report was made public.

Mr. Fosdick announced that he was actively engaged in attempting to learn how a letter he sent to Police Commissioner Waldo came to be posted a few hours later in ex-Sheriff Tom Foley's club, at No. 114 Centre street. This letter contained an anonymous letter which had been sent to Mr. Fosdick containing a list of disreputable houses and gambling houses in the First Police Inspection District.

The same writer had sent a similar list to Mayor Gaynor, Commissioner Waldo and two newspapers. Within a few hours Waldo sent the list to Inspector Cahalane. When Mr. Fosdick's agents made an investigation they found the places mentioned were being closed by the police. They were surprised, however, to learn that the letter had been posted in Foley's club room.

"Foley says the letter posted in his club was the one sent to a newspaper," said Mr. Fosdick to-day. "But I have been authoritatively informed that it really is the copy I sent to Commissioner Waldo, and I am making an active investigation."

"You think, you must understand, Commissioner Waldo is absolutely innocent. He sent the letter, in the course of official business, to the inspector of the first district. What he did with it I do not know. I propose to find out, though, if the letter I sent to Mr. Waldo finally found its way, through police channels, to Foley's club."

Further than to admit that he had an important conference this afternoon with Mr. Whitman, Mr. Fosdick would not discuss his proposed co-operation with the Prosecutor in endeavoring to uncover police graft. It is understood, however, that he will turn over to Mr. Whitman a mass of startling documentary evidence.

Young's Hats
"They're Off!"
—1/3 below regular prices now for all Young Straws.

[DIED.]
LYNN—Suddenly, on Aug. 1, BRIDGET LYNN, widow of Francis Lynn, native of Dublin, Ireland.

Funeral from the residence of her daughter, Mrs. J. J. Molloy, No. 300 E. 69th st., Saturday, Aug. 3, at 9:30 A. M. Requiem mass at St. Catherine of Blanche Church, E. 69th st.

SHIPPING NEWS.
ALBANAC FOR TO-DAY.
Sun. ris. 4:56 Sun. set. 7:16 Moon ris. 9:12

THE TIDES.
Sun. Water. Low Water. A.M. P.M. A.M. P.M.
Sandy Hook 4:56 9:53 4:56 9:53
Governor's Island 4:58 9:55 4:58 9:55
Hell Gate 11:55 11:45 5:58 5:55

PORT OF NEW YORK, ARRIVED.
Maltese 11:55 11:45 5:58 5:55
S. S. 11:55 11:45 5:58 5:55
S. S. 11:55 11:45 5:58 5:55

GANEY
PENNY A POUND PROFIT
Special for Thursday, the 1st
SUGAR PEPPERMINTS
A WINTERGREENS
VERY HIGH GRADE BONBONS
CHOCOLATES OR ALL
COCOLATES. POUND BOX
60c. value.

Special for Friday, the 2d
ASSORTED ICE CREAM CAMELS;
25c. value. POUND BOX
CHOCOLATE COCONUT ROYALS;
out regular 25c goods. POUND BOX
25c. value.

Now for a Glass of Iced
LIPTON'S
TEA
WHAT SAY YOU?

Special for Thursday, the 1st
Milk Chocolate Covered Nut
Butter
Rich, wholesome, dairy butter represents the finest ingredient here, and our world-famous Premium Milk Chocolate lends that deliciousness which defines adequate description.
POUND BOX 39c

Special for Friday, the 2d
54 BARCLAY ST.
29 CORTLANDT ST.
PARK ROW & NASSAU
206 BROADWAY
47 NASSAU ST.
Loft 6 stories
The specified weight in each instance includes the container.

RED SPOTS ON LIMBS KEPT SPREADING

Would Crust Over and Form Scales. Scratched and Caused Sore Places. Unable to Sleep. Cuticura Soap and Ointment Cured.

163 W. 143rd St., New York City.—"My son, ten years old, while bathing was bitten by sand fleas. The spots looked all red and as large as a five-cent piece. They would crust over and form black scales, and if he knocked against anything, they would bleed, and pus and blood would run down his legs. He scratched the spots on both legs and caused very sore places, causing him to be unable to sleep. They were large sores with large holes in them. They were sore to look at, and were so inflamed I had to keep him home with cloths bound around both legs. I could not let him wear any clothes as they would make them worse. The spots kept spreading."

"We tried everything, but they did no good until I washed his legs with Cuticura Soap three times a day and bound them up with Cuticura Ointment. He could then sleep in ease, after six weeks of pain. I thought he would never get cured, but Cuticura Soap and Ointment gave relief from the itching the first night and cured him in a week." (Signed) Mrs. Wm. Bennett, Mar. 28, 1912.

Cuticura Soap (25c.) and Cuticura Ointment (50c.) are sold throughout the world. A single set is often sufficient. Liberal sample of each mailed free, with 32-p. Skin Book. Address post-card "Cuticura, Dept. T, Boston."

43-Tender-faced men should use Cuticura Soap Shaving Stick, 25c. Sample free.

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SICK
DEXTER
DELAY
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needs
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will enhance that youthful loveliness
of nature gave you, and will show
an unsightly powder effect.
Carmen, unlike other powders, will
not come off until you remove it, for
it is entirely "different"—pure and harm-
less, it beautifies and benefits the skin.
Flesh, White, Pink, and Cream
from your Druggist or Department
Store. Tins 50c.
Carmen Cold Cream
beats and softens irritated and rough
skin—Snow-white—Non-sticky—
—harmless, 25c and 50c.
Stafford-Miller Co.
518 Olive Street
St. Louis, Mo.

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